IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL NO.312 OF 2007

IN

NOTICE OF MOTION NO.1334 OF 2006

IN

SUIT NO.924 OF 2001

AND

NOTICE OF MOTION NO.1573 OF 2007

IN

APPEAL NO.312 OF 2007

Ajit Investments. ...Appellant.

vs.

1.Mr.Anil K. Bodani & others. ...Respondents.

Mr.D.D.Madan with Cyrus Adreshir i/b. Desai, Desai & Carrimjee for appellant.

Mr.Gaurav Joshi i/b. N.S.& Himaytullah, for Respondent nos.1 and 2.

Ms.Prachi Rane i/b. M/s.Shiralkar & Co., for Respondent no.22.

CORAM: D.K.DESHMUKH &
J.H.BHATIA, JJ.

DATED: 3rd July,2007.

P.C.:-

1. Heard the learned Counsel appearing for both the sides. Perused the order impugned in the appeal. We find that the learned Single Judge has considered all the relevant aspects and has issued necessary directions. We find that the learned Judge has seen to it that interest of all the sides are safeguarded. He has also issued directions so that the work on the stud farm can be inspected periodically. Receiver informs us that pursuant to the order, he has prepared the report and that may be submitted to the learned Single Judge taking the report of the Receiver, within a period of one week. The appellant shall be at liberty to submit any objection that the appellant may have to the report, and if the appellant makes out a case, it is needless to say that the learned Single Judge is free to make

appropriate order.

2. The statements made by the respondents who are acting as agents of the Receiver have been accepted by the Court. If according to the appellant, the respondents have committed breach of those statements, the appellant shall be free to proceed against the respondents in accordance with law. Both, the Appeal and the Notice of motion are disposed of.

(D.K.DESHMUKH, J.)

(J.H.BHATIA,J.)